

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEFNY GAMBOA,

Plaintiff,

- against -

CITY SCHOOL DISTRICT OF NEW
ROCHELLE, DR. RHONDA JONES, GUSTAVO
BARBOSA, and DR. JOSEPH WILLIAMS,
individually and in their official capacities as
supervisory agents and/or employees of the New
Rochelle School District,

Defendants.
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OPINION & ORDER

No. 18-CV-12082 (CS)

Seibel, J.

In order to streamline the Court's consideration of Defendants' *motion in limine* regarding Plaintiff's deposition designations, Plaintiff shall, not later than 10 a.m. on October 24, 2022, resubmit her deposition designations in compliance with the following rules:

1. A party may not designate part of a question or part of answer.
2. A party may not designate a question without designating the answer or designate an answer without designating the question.
3. A party may not designate colloquy between counsel unless it is necessary to understand the question or answer.
4. A party may not omit from its designation any intervening portion(s) necessary to make the designated portion comprehensible, complete and/or not misleading.
5. The designations shall, as set forth in section 3.A.ix of my Individual Practices, be limited to deposition testimony to be offered in the party's case-in-chief.

Plaintiff shall submit the re-designated depositions electronically to chambers and defense counsel. Defense counsel shall review the new designations and bring to the final pre-trial conference two hard copies for the Court (and provide Plaintiff with a hard or electronic

copy) of the relevant transcripts with Plaintiff's designations in orange, Defendants' objections thereto in the left margin, Defendants' cross-designations in blue, and Plaintiff's objections thereto in the right margin.

I am not requiring any adjustments to the designations for Plaintiff's deposition at this time, because I find it unlikely that Defendants will actually offer most of the designated portions, given that they will have the opportunity to elicit the same information on cross-examination, but to the extent Defendants do offer portions of Plaintiff's deposition in their case-in-chief, any cross-designations by Plaintiff of her own deposition must be limited to portions necessary to make Defendants' designations comprehensible, complete, or not misleading. Anything Plaintiff wants the jury to know that is unrelated to Defendants' designations must be elicited through testimony.

SO ORDERED.

Dated: October 21, 2022

White Plains, New York

A handwritten signature in black ink that reads "Cathy Seibel". The signature is written in a cursive, flowing style.

Cathy Seibel, U.S.D.J.